

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES

v.

KINGLEY R. CHIN and
ADITYA HUMAD,
Defendants.

No. 1:21-cr-10256-IT

**DEFENDANTS' MOTION TO PROVISIONALLY SEAL
DOCUMENTS RELATED TO THEIR MOTION TO CONTINUE
TRIAL AND FOR HEARING CONCERNING *BRADY* VIOLATION**

Defendants request leave to file provisionally under seal certain documents related to their Motion to Continue Trial and for Hearing Concerning *Brady* Issues. Specifically, defendants request leave to file under seal (1) the unredacted version of their motion, and (2) the appendix and exhibits to that motion.

For reasons detailed elsewhere, *see, e.g.*, ECF No. 183, defendants object generally to blanket sealing of grand jury material in this post-indictment setting. Among other things, Fed. R. Crim. P. 6(e)(2)(A) makes clear that no obligation of secrecy over grand-jury matters may be imposed on defendants, and defendants are concerned that the government's position as to sealing grand-jury matters in a post-indictment setting limits the defendants' ability to make clear and comprehensives arguments, and to state their positions in a public forum, on issues of public importance. Nevertheless, given the government's position, and the Court's acceptance of it at least in certain earlier contexts, and in the interest of avoiding unnecessary disputes with the government over its grand-jury secrecy position, defendants seek to seal their filings to the extent they reveal grand jury information. That information appears both in the body of defendants' motion and in the appendix and exhibits to the motion.

In addition, the motion, appendix, and exhibits contain the identities of alleged unindicted co-conspirators. While defendants do not believe there is any basis for keeping the identities of those surgeons secret (and the government has not sought any sealing with regard to their identities), Local Rule 116.1(c)(1)(E) contemplates sealing the identities of unindicted alleged co-conspirators unless otherwise ordered by the Court. For that reason as well, defendants respectfully request leave to file their motion under seal, as well as the motion's appendix and exhibits (with the exception of two exhibits, Exhibits A and E, which defendants have redacted for purposes of the public versions, and propose to seal the unredacted versions).

Defendants have prepared and filed publicly versions of their memorandum and Exhibits A and E that redact the information for which sealing is sought. Defendants will provide the unredacted filings to the Clerk.

Respectfully submitted,

KINGSLEY CHIN

By his attorneys,

/s/ Joshua L. Solomon

Barry S. Pollack (BBO #642064)
 Joshua L. Solomon (BBO #657761)
 POLLACK SOLOMON DUFFY LLP
 31 St. James Avenue, Suite 940
 Boston, MA 02116
 (617) 439-9800
 bpollack@psdfirm.com
 jsolomon@psdfirm.com

ADITYA HUMAD

By his attorneys,

/s/ William W. Fick

Daniel N. Marx (BBO #674523)
 William W. Fick (BBO #650562)
 FICK & MARX LLP
 24 Federal Street, 4th Floor
 Boston, MA 02110
 (857) 321-8360
 dmarx@fickmarx.com
 wfick@fickmarx.com

CERTIFICATE OF SERVICE

The undersigned certifies that this document, filed on November 13, 2025 through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Joshua L. Solomon